

HOUSE TAXATION AND REVENUE COMMITTEE SUBSTITUTE FOR
HOUSE BILL 9

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

AN ACT

RELATING TO CAPITAL OUTLAY; LIMITING CERTAIN GENERAL FUND
APPROPRIATIONS AND REVERTING BALANCES; CHANGING CERTAIN
SEVERANCE TAX BOND AUTHORIZATIONS AND APPROPRIATIONS OF
PROCEEDS; PROVIDING FOR REVERSION OF CERTAIN BALANCES;
DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. GENERAL FUND BALANCES REVERTED.--The following
appropriations from the general fund or other state fund shall
not be expended, and the unexpended balances up to the amount
specified shall revert to the general fund:

1. two million eight hundred thousand dollars
(\$2,800,000) to the capital program fund in Subsection 15 of
Section 38 of Chapter 42 of Laws 2007 and in Subsection 2 of
Section 4 of Chapter 2 of Laws 2007 to plan, design, construct,
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1 renovate and equip a substance abuse treatment center in Los
2 Lunas in Valencia county;

3 2. two million seven hundred thousand dollars
4 (\$2,700,000) to the energy, minerals and natural resources
5 department in Subsection 2 of Section 33 of Chapter 347 of Laws
6 2005 for bosque revitalization and to plan and develop trails
7 in the north bosque area along the Rio Grande;

8 3. one million dollars (\$1,000,000) to the office
9 of the state engineer in Subsection 20 of Section 42 of Chapter
10 111 of Laws 2006 to repair and improve Cabresto Lake dam in
11 Taos county;

12 4. one million dollars (\$1,000,000) to the
13 department of environment in Subsection 48 of Section 59 of
14 Chapter 42 of Laws 2007 to plan, design and construct
15 improvements to the water and wastewater system in Sunland Park
16 in Dona Ana county;

17 5. two million five hundred thousand dollars
18 (\$2,500,000) to the department of environment in Subsection 87
19 of Section 59 of Chapter 42 of Laws 2007 to plan, design and
20 construct improvements to the regional wastewater treatment
21 plant in Ruidoso Downs in Lincoln county;

22 6. one million four thousand dollars (\$1,004,000)
23 to the department of environment in Subsection 157 of Section
24 45 of Chapter 111 of Laws 2006 to plan, design and construct
25 water system leakage repairs in the Pueblo of Cochiti in

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1 Sandoval county;

2 7. three million dollars (\$3,000,000) to the
3 department of environment in Subsection 143 of Section 45 of
4 Chapter 111 of Laws 2006 for improvements to the water reuse
5 and distribution facilities in Rio Rancho in Sandoval county;

6 8. two million four hundred ninety-eight thousand
7 two hundred fifteen dollars (\$2,498,215) to the department of
8 finance and administration in Subsection 3 of Section 47 of
9 Chapter 111 of Laws 2006 for media production, education and
10 training facilities statewide;

11 9. two million dollars (\$2,000,000) to the human
12 services department in Laws 2008, Chapter 92, Section 54 for
13 domestic violence projects to maintain, repair and renovate
14 facilities to ensure consistent domestic violence service
15 delivery and to plan, design, construct, equip and furnish
16 additional shelters statewide;

17 10. one million dollars (\$1,000,000) to the Indian
18 affairs department in Subsection 87 of Section 66 of Chapter 42
19 of Laws 2007 to plan, design and construct improvements to the
20 airport at Ohkay Owingeh in Rio Arriba county;

21 11. Section 72-1-12 NMSA 1978 and Laws 2007,
22 Chapter 42, Section 88 notwithstanding, ten million dollars
23 (\$10,000,000) to the Indian water rights settlement fund in
24 Laws 2007, Chapter 42, Section 88 to implement the state's
25 portion of the settlement of water rights in the *Navajo Nation*,

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1 *Taos and Aamodt* cases;

2 12. five million dollars (\$5,000,000) to the local
3 government division in Subsection 5 of Section 26 of Chapter 2
4 of Laws 2007 to plan, design, construct, renovate and equip a
5 state multipurpose equestrian facility on open space property
6 in Bernalillo county;

7 13. three million dollars (\$3,000,000) to the local
8 government division in Subsection 637 of Section 52 of Chapter
9 111 of Laws 2006 to plan, design and construct bikeways and
10 horse trails in Santa Fe county;

11 14. five million seven hundred thousand dollars
12 (\$5,700,000) to the local government division in Subsection 704
13 of Section 68 of Chapter 42 of Laws 2007 for film and media
14 production, education and training facilities statewide;

15 15. five million dollars (\$5,000,000) to the local
16 government division in Subsection 653 of Section 52 of Chapter
17 111 of Laws 2006 for local fair and arena rodeo facilities
18 statewide;

19 16. one million five hundred thousand dollars
20 (\$1,500,000) to the department of transportation in Subsection
21 127 of Section 75 of Chapter 42 of Laws 2007 for a paved access
22 road for the Strauss facility near the Santa Teresa port near
23 entry in Dona Ana county;

24 17. fifty thousand dollars (\$50,000) to the aging
25 and long-term services department in Subsection 8 of Section

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1 124 of Chapter 126 of Laws 2004 to replace the roof and
2 flooring at the Billy McKibben senior center in Lovington in
3 Lea county;

4 18. fifty thousand dollars (\$50,000) to the aging
5 and long-term services department in Subsection 11 of Section
6 124 of Chapter 126 of Laws 2004 to renovate and construct a
7 senior center in Dixon in Rio Arriba county;

8 19. six hundred fifty-two thousand eight hundred
9 seventy-five dollars (\$652,875) to the capital program fund in
10 Paragraph (13) of Subsection B of Section 44 of Chapter 126 of
11 Laws 2004 for an office complex to house health-related state
12 agencies in Santa Fe in Santa Fe county;

13 20. nine hundred three thousand one hundred forty-
14 nine dollars (\$903,149) to the capital program fund in
15 Subsection 1 of Section 64 of Chapter 111 of Laws 2006 to plan,
16 design, construct, improve and renovate the facility and
17 infrastructure at the state government center in Albuquerque in
18 Bernalillo county;

19 21. twenty-five thousand dollars (\$25,000) to the
20 cultural affairs department in Subsection 7 of Section 127 of
21 Chapter 126 of Laws 2004 to plan and design the New Mexico
22 rodeo hall of fame in Las Cruces in Dona Ana county;

23 22. one million dollars (\$1,000,000) to the
24 department of information technology in Laws 2008, Chapter 92,
25 Section 56 to purchase a computing system for the state,

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1 contingent on the state receiving an award from the national
2 science foundation to develop supercomputing systems;

3 23. two million dollars (\$2,000,000) to the
4 economic development department in Subsection 4 of Section 43
5 of Chapter 92 of Laws 2008 for an Eclipse aviation maintenance
6 center facility in Bernalillo county;

7 24. twenty thousand dollars (\$20,000) to the public
8 education department in Subsection 52 of Section 136 of Chapter
9 126 of Laws 2004 for renovations at the charter vocational high
10 school in the Albuquerque public school district in Bernalillo
11 county;

12 25. twenty-five thousand dollars (\$25,000) to the
13 public education department in Subsection 147 of Section 136 of
14 Chapter 126 of Laws 2004 and reauthorized in Laws 2006, Chapter
15 107, Section 20 for land acquisition, site development and
16 construction for the Nuestros Valores charter school in the
17 Albuquerque public school district in Bernalillo county;

18 26. seventy-five thousand dollars (\$75,000) to the
19 public education department in Subsection 1 of Section 14 of
20 Chapter 385 of Laws 2003 and reauthorized in Laws 2006, Chapter
21 107, Section 34 to acquire land, develop the site for and
22 construct the Nuestros Valores charter school in the
23 Albuquerque public school district in Bernalillo county;

24 27. three hundred eighty-eight thousand eight
25 hundred fourteen dollars (\$388,814) to the energy, minerals and

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1 natural resources department in Subsection 10 of Section 54 of
2 Chapter 111 of Laws 2006 for facilities and infrastructure at
3 Red Rock state park in McKinley county;

4 28. fifteen thousand dollars (\$15,000) to the
5 office of the state engineer in Subsection 6 of Section 129 of
6 Chapter 126 of Laws 2004 to develop a well for the park in
7 Berino in Dona Ana county;

8 29. five thousand dollars (\$5,000) to the
9 interstate stream commission in Subsection 1 of Section 133 of
10 Chapter 126 of Laws 2004 to develop water management and water
11 conservation plans for acequias in Mora county;

12 30. five hundred thousand dollars (\$500,000) to the
13 office of the state engineer in Subsection 6 of Section 20 of
14 Chapter 2 of Laws 2007 to repair and rehabilitate acequia water
15 storage projects statewide;

16 31. two million dollars (\$2,000,000) to the office
17 of the state engineer in Subsection 11 of Section 34 of Chapter
18 347 of Laws 2005 for dam renovations and repairs statewide;

19 32. fifty thousand dollars (\$50,000) to the
20 department of environment in Subsection 12 of Section 132 of
21 Chapter 126 of Laws 2004 for a new sewer system for the San
22 Mateo mutual domestic water consumers association in Cibola
23 county;

24 33. two hundred fifty thousand dollars (\$250,000)
25 to the department of environment in Subsection 74 of Section 59

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1 of Chapter 42 of Laws 2007 for utility line extensions in Lea
2 county;

3 34. forty-eight thousand dollars (\$48,000) to the
4 department of environment in Subsection 27 of Section 132 of
5 Chapter 126 of Laws 2004 for water system improvements,
6 including drilling a well and purchasing and installing a
7 storage tank, for the Weed water users association in Otero
8 county;

9 35. two hundred fifty thousand dollars (\$250,000)
10 to the department of finance and administration in Subsection 9
11 of Section 61 of Chapter 42 of Laws 2007 for the New Mexico
12 mortgage finance authority to provide energy-efficient systems
13 and improvements affixed to real property statewide;

14 36. five hundred thousand dollars (\$500,000) to the
15 department of finance and administration in Subsection 6 of
16 Section 50 of Chapter 92 of Laws 2008 to the New Mexico
17 mortgage finance authority for energy-efficient systems and
18 improvements to real property statewide;

19 37. two million seven hundred thousand dollars
20 (\$2,700,000) to the department of finance and administration in
21 Subsection 7 of Section 50 of Chapter 92 of Laws 2008 for film
22 and media production, education and training facilities and
23 other film initiatives statewide;

24 38. four hundred two thousand two hundred ninety-
25 six dollars (\$402,296) to the department of finance and

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1 administration in Subsection 3 of Section 31 of Chapter 126 of
2 Laws 2004 for a film production education and training center
3 and studio;

4 39. five hundred thousand dollars (\$500,000) to the
5 department of finance and administration in Subsection 4 of
6 Section 61 of Chapter 42 of Laws 2007 for pre-kindergarten
7 classrooms, including portables, statewide;

8 40. nine million three hundred twenty-nine thousand
9 two hundred twenty-two dollars (\$9,329,222) to the department
10 of finance and administration in Subsection 9 of Section 47 of
11 Chapter 111 of Laws 2006 for rodeo arena facilities related to
12 the statewide rodeo initiative;

13 41. two hundred six thousand six hundred forty-four
14 dollars (\$206,644) to the department of finance and
15 administration in Subsection 1 of Section 31 of Chapter 126 of
16 Laws 2004 to provide matching funds for innovative water
17 resources projects statewide;

18 42. two million three hundred thousand dollars
19 (\$2,300,000) to the department of finance and administration in
20 Subsection 10 of Section 61 of Chapter 42 of Laws 2007 for leak
21 detection, regional and demonstration water system projects
22 statewide;

23 43. one million dollars (\$1,000,000) to the
24 department of game and fish in Subsection 2 of Section 48 of
25 Chapter 111 of Laws 2006 to plan, design and improve the

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1 spillway of Bear Canyon dam in Grant county;

2 44. one million dollars (\$1,000,000) to the
3 department of game and fish in Subsection 4 of Section 48 of
4 Chapter 111 of Laws 2006 for water leakage improvements to the
5 Clayton Lake dam and surrounding area in Union county;

6 45. three hundred thirty-two thousand dollars
7 (\$332,000) to the public education department in Subsection 442
8 of Section 55 of Chapter 42 of Laws 2007 for nonpublic school
9 computers and reauthorized to the general services department
10 in Subsection C of Section 210 of Chapter 83 of Laws 2008 to
11 purchase an airplane in Santa Fe in Santa Fe county;

12 46. nine hundred eighty-five thousand dollars
13 (\$985,000) to the property control division of the general
14 services department in Subsection B of Section 6 of Chapter 64
15 of Laws 2007 for the planning and designing of a New Mexico
16 state police crime laboratory to be located adjacent to or
17 within close proximity to the state laboratory facility in
18 Bernalillo county;

19 47. two million dollars (\$2,000,000) to the
20 department of health in Subsection 2 of Section 49 of Chapter
21 111 of Laws 2006 for improvements to school-based clinics and
22 department of health facilities and reauthorized in Paragraph
23 (1) of Subsection A of Section 95 of Chapter 42 of Laws 2007
24 for the public health office in Bernalillo county;

25 48. thirty thousand dollars (\$30,000) to the Indian

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1 affairs department in Subsection 24 of Section 131 of Chapter
2 126 of Laws 2004 for improvements and equipment for the chapter
3 house for the Chichiltah chapter of the Navajo Nation in
4 McKinley county;

5 49. thirty thousand dollars (\$30,000) to the Indian
6 affairs department in Subsection 30 of Section 131 of Chapter
7 126 of Laws 2004 to repair the building, heating and plumbing
8 systems at the chapter house in the Chichiltah chapter in the
9 Navajo Nation in McKinley county;

10 50. one hundred thousand dollars (\$100,000) to the
11 Indian affairs department in Subsection C of Section 42 of
12 Chapter 23 of Laws 2000 (2nd S.S.) and reauthorized in Laws
13 2005, Chapter 347, Section 259 to purchase a building for the
14 department of Navajo veterans' affairs in Crownpoint in
15 McKinley county;

16 51. thirty thousand dollars (\$30,000) to the Indian
17 affairs department in Subsection 32 of Section 131 of Chapter
18 126 of Laws 2004 to repair the building, heating and plumbing
19 systems at the chapter house in the Iyanbito chapter in the
20 Navajo Nation in McKinley county;

21 52. thirty thousand dollars (\$30,000) to the Indian
22 affairs department in Subsection 31 of Section 131 of Chapter
23 126 of Laws 2004 to repair the building, heating and plumbing
24 systems at the chapter house in the Manuelito chapter in the
25 Navajo Nation in McKinley county;

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1 53. thirty thousand dollars (\$30,000) to the Indian
2 affairs department in Subsection 28 of Section 131 of Chapter
3 126 of Laws 2004 to repair the building, heating and plumbing
4 systems at the chapter house in the Tsayatoh chapter in the
5 Navajo Nation in McKinley county;

6 54. two hundred twenty-one thousand dollars
7 (\$221,000) to the Indian affairs department in Subsection 43 of
8 Section 131 of Chapter 126 of Laws 2004 to expand, improve and
9 construct road yards and highway maintenance facilities for the
10 chapters of the Navajo Nation in northwest New Mexico;

11 55. forty-one thousand dollars (\$41,000) to the
12 Indian affairs department in Subsection G of Section 42 of
13 Chapter 23 of Laws 2000 (2nd S.S.) and reauthorized in Laws
14 2005, Chapter 347, Section 144 to make improvements, including
15 a master plan, at the Hogback chapter of the Navajo Nation in
16 San Juan county;

17 56. twenty-five thousand dollars (\$25,000) to the
18 Indian affairs department in Subsection 4 of Section 131 of
19 Chapter 126 of Laws 2004 and reauthorized in Laws 2005, Chapter
20 347, Section 282 for improvements to playground equipment and
21 outdoor recreation facilities at the Pueblo of Santa Ana in
22 Sandoval county;

23 57. one million five hundred thousand dollars
24 (\$1,500,000) to the interstate stream commission in Laws 2007,
25 Chapter 42, Section 89 and reauthorized in Laws 2008, Chapter

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1 83, Section 400 to purchase land and water rights and for
2 development of augmentation well fields and pipelines;

3 58. three million five hundred thousand dollars
4 (\$3,500,000) to the local government division in Subsection 44
5 of Section 68 of Chapter 42 of Laws 2007 for infrastructure for
6 an automobile assembly operations economic development project
7 in Bernalillo county;

8 59. two hundred fifty thousand dollars (\$250,000)
9 to the local government division in Subsection 11 of Section 68
10 of Chapter 42 of Laws 2007 to purchase land for open space
11 adjacent to the Gutierrez Canyon open space area in Bernalillo
12 county;

13 60. two million twenty-five thousand dollars
14 (\$2,025,000) to the local government division in Subsection 35
15 of Section 68 of Chapter 42 of Laws 2007 for a state
16 multipurpose equestrian facility on open space property in
17 Bernalillo county;

18 61. fifty thousand dollars (\$50,000) to the local
19 government division in Subsection 13 of Section 59 of Chapter
20 92 of Laws 2008 for the Fisher and Smith memorial gymnasium at
21 the Vista Grande community center in Bernalillo county;

22 62. one hundred thousand dollars (\$100,000) to the
23 local government division in Subsection 10 of Section 68 of
24 Chapter 42 of Laws 2007 to equip the Fisher and Smith memorial
25 gymnasium at the Vista Grande community center in Bernalillo

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1 county;

2 63. two hundred five thousand dollars (\$205,000) to
3 the local government division in Subsection 43 of Section 45 of
4 Chapter 347 of Laws 2005 for a gymnasium to be jointly used by
5 East Mountain high school and Vista Grande community center in
6 Bernalillo county;

7 64. twenty-five thousand dollars (\$25,000) to the
8 local government division in Subsection 77 of Section 134 of
9 Chapter 126 of Laws 2004 for renovation for the Downtown
10 community education center in Albuquerque in Bernalillo county;

11 65. thirty-five thousand dollars (\$35,000) to the
12 local government division in Subsection 59 of Section 134 of
13 Chapter 126 of Laws 2004 for maintenance and renovation of the
14 Albuquerque railyard station in Albuquerque in Bernalillo
15 county;

16 66. seven hundred forty-nine thousand two hundred
17 eighty-five dollars (\$749,285) to the local government division
18 in Subsection 50 of Section 68 of Chapter 42 of Laws 2007 for
19 construction, equipment, furnishings and exhibits at the
20 Anderson-Abruzzo international balloon museum in Albuquerque in
21 Bernalillo county;

22 67. fifty thousand dollars (\$50,000) to the local
23 government division in Subsection 110 of Section 134 of Chapter
24 126 of Laws 2004 to acquire land in Eagle Nest in Colfax
25 county;

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1 68. sixty-six thousand two hundred eighty-six
2 dollars (\$66,286) to the local government division in
3 Subsection 138 of Section 26 of Chapter 2 of Laws 2007 for
4 improvements to the Cliff-Gila cemetery in Grant county;

5 69. one hundred thousand dollars (\$100,000) to the
6 local government division in Subsection 385 of Section 68 of
7 Chapter 42 of Laws 2007 for a boys' and girls' club in Grant
8 county;

9 70. one hundred ninety-six thousand twenty dollars
10 (\$196,020) to the local government division in Subsection 186
11 of Section 45 of Chapter 347 of Laws 2005 and reauthorized in
12 Laws 2007, Chapter 341, Section 142 for a boys' and girls' club
13 in Grant county;

14 71. one hundred thousand dollars (\$100,000) to the
15 local government division in Subsection 430 of Section 45 of
16 Chapter 347 of Laws 2005 and reauthorized in Laws 2007, Chapter
17 341, Section 143 for a ball park in Cliff in Grant county;

18 72. ninety-nine thousand three hundred eleven
19 dollars (\$99,311) to the local government division in
20 Subsection 352 of Section 52 of Chapter 111 of Laws 2006 and
21 reauthorized in Laws 2008, Chapter 83, Section 223 for a
22 multipurpose facility and purchasing property for the Casa Mia
23 ranch in Silver City in Grant county;

24 73. twenty-five thousand dollars (\$25,000) to the
25 local government division in Subsection 48 of Section 134 of

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1 Chapter 126 of Laws 2004 to furnish and equip the Rio Grande
2 alcohol treatment facility in Embudo in Rio Arriba county;

3 74. fifty thousand dollars (\$50,000) to the local
4 government division in Subsection 204 of Section 134 of Chapter
5 126 of Laws 2004 and reauthorized in Laws 2005, Chapter 347,
6 Section 270 to plan, design and construct a courthouse and
7 acquire land in the first judicial district in Espanola in Rio
8 Arriba county;

9 75. thirty thousand dollars (\$30,000) to the local
10 government division in Subsection 106 of Section 134 of Chapter
11 126 of Laws 2004 for renovation of El Pueblo community center
12 in El Pueblo in San Miguel county;

13 76. thirteen thousand dollars (\$13,000) to the
14 local government division in Subsection 102 of Section 134 of
15 Chapter 126 of Laws 2004 for design and construction of the
16 Pueblo fire department San Jose substation in San Miguel
17 county;

18 77. fifteen thousand dollars (\$15,000) to the local
19 government division in Subsection 105 of Section 134 of Chapter
20 126 of Laws 2004 for completion of the San Juan community
21 center in San Miguel county;

22 78. twenty-four thousand dollars (\$24,000) to the
23 local government division in Subsection 90 of Section 134 of
24 Chapter 126 of Laws 2004 for repairs to Casa San Ysidro in
25 Corrales in Sandoval county;

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1 79. twenty thousand dollars (\$20,000) to the local
2 government division in Subsection 246 of Section 134 of Chapter
3 126 of Laws 2004 for a feasibility study to develop a plan,
4 including an implementation schedule, for a protected river
5 corridor for the Santa Fe river between Osage street and New
6 Mexico highway 599 in Santa Fe county;

7 80. five hundred thousand dollars (\$500,000) to the
8 local government division in Subsection 702 of Section 68 of
9 Chapter 42 of Laws 2007 for local fair and arena rodeo
10 facilities statewide;

11 81. twenty-five thousand dollars (\$25,000) to the
12 local government division in Subsection 47 of Section 134 of
13 Chapter 126 of Laws 2004 to plan, design and construct a
14 facility and to purchase firefighting equipment for the Pot
15 Creek volunteer fire department in Taos county;

16 82. twenty-five thousand dollars (\$25,000) to the
17 department of transportation in Subsection 33 of Section 43 of
18 Chapter 126 of Laws 2004 for water and sewer extensions on Lisa
19 lane and Lisa road SW in Bernalillo county;

20 83. twenty thousand dollars (\$20,000) to the
21 department of transportation in Subsection 15 of Section 43 of
22 Chapter 126 of Laws 2004 for the construction of speed bumps
23 and signage near Hayes middle school in Albuquerque in
24 Bernalillo county;

25 84. one hundred thousand dollars (\$100,000) to the

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1 department of transportation in Subsection 19 of Section 43 of
2 Chapter 126 of Laws 2004 for water and sewer improvements on
3 streets west of Rio Grande boulevard between Griegos and
4 Matthew streets in Albuquerque in Bernalillo county;

5 85. two hundred thirty-four thousand seven hundred
6 eighty-six dollars (\$234,786) to the higher education
7 department in Subsection A of Section 38 of Chapter 126 of Laws
8 2004 to plan, design, construct and equip career technical-
9 vocational education centers statewide;

10 86. thirty thousand dollars (\$30,000) to the board
11 of regents of New Mexico state university in Paragraph (2) of
12 Subsection E of Section 137 of Chapter 126 of Laws 2004 to plan
13 and design an environmental education center for New Mexico
14 state university at Mesa del Sol in Bernalillo county;

15 87. thirty thousand dollars (\$30,000) to the board
16 of regents of New Mexico state university in Paragraph (10) of
17 Subsection E of Section 137 of Chapter 126 of Laws 2004 to plan
18 and design an environmental education center for New Mexico
19 state university at Mesa del Sol in Bernalillo county;

20 88. Laws 2001, Chapter 345, Section 3
21 notwithstanding, three million seven hundred sixty-nine
22 thousand four hundred forty-two dollars (\$3,769,442) to the
23 water and wastewater project grant fund in Laws 2001, Chapter
24 345, Section 3 to carry out the provisions of Section 6-21-6.3
25 NMSA 1978; and

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1 89. Section 72-4A-9 NMSA 1978 and Laws 2002,
2 Chapter 110, Section 47 notwithstanding, two hundred ninety-
3 four thousand six hundred twenty-seven dollars (\$294,627) to
4 the water project fund in Laws 2002, Chapter 110, Section 47 to
5 carry out the provisions of the Water Project Finance Act.

6 Section 2. SEVERANCE TAX BONDS--CHANGING PURPOSES--
7 CHANGING AUTHORIZATIONS AND PROVIDING FOR EXPENDITURES--
8 PROVIDING FOR REVERSION TO THE SEVERANCE TAX BONDING FUND OF
9 ANY BALANCES NOT APPROPRIATED.--

10 A. The unexpended proceeds up to the amount
11 specified from the severance tax bonds for the capital projects
12 specified in this subsection shall not be expended for their
13 original purposes, but may be expended by the specified state
14 agencies as provided in Subsection B of this section:

15 (1) two hundred forty-four thousand three
16 hundred eighty-seven dollars (\$244,387) to the capital program
17 fund in Subsection 17 of Section 6 of Chapter 42 of Laws 2007
18 to plan, design and renovate the Mary Medina motor vehicle
19 division field office in Taos in Taos county;

20 (2) four hundred ninety-five thousand dollars
21 (\$495,000) to the capital program fund in Subsection 19 of
22 Section 5 of Chapter 92 of Laws 2008 to complete renovations at
23 the Mary Medina motor vehicle division field office in Taos in
24 Taos county;

25 (3) one million eight hundred thousand dollars

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1 (\$1,800,000) to the department of information technology in
2 Laws 2008, Chapter 92, Section 20 to purchase a computing
3 system for the state;

4 (4) four million five hundred thousand dollars
5 (\$4,500,000) to the economic development department in Laws
6 2008, Chapter 92, Section 10 for capital improvements at an
7 automobile manufacturing economic development project in
8 Bernalillo county;

9 (5) fifty thousand dollars (\$50,000) to the
10 public education department in Subsection 12 of Section 118 of
11 Chapter 126 of Laws 2004 to build a grass sports field and
12 running track at East San Jose elementary school in the
13 Albuquerque public school district in Bernalillo county;

14 (6) fifty thousand dollars (\$50,000) to the
15 public education department in Subsection 162 of Section 118 of
16 Chapter 126 of Laws 2004 for equipment and construction for the
17 Nuestros Valores charter school in the Albuquerque public
18 school district in Bernalillo county;

19 (7) twelve thousand dollars (\$12,000) to the
20 public education department in Subsection 248 of Section 23 of
21 Chapter 110 of Laws 2002 and reauthorized in Laws 2006, Chapter
22 107, Section 31 to plan, design, construct and upgrade the
23 soccer field at Alameda elementary school in the Albuquerque
24 public school district in Bernalillo county;

25 (8) twenty-five thousand dollars (\$25,000) to

1 the public education department in Subsection 307 of Section 23
2 of Chapter 429 of Laws 2003 and reauthorized in Laws 2006,
3 Chapter 107, Section 21 for the purchase of land and
4 construction of a facility for the Nuestros Valores charter
5 school in the Albuquerque public school district in Bernalillo
6 county;

7 (9) fifty thousand dollars (\$50,000) to the
8 public education department in Subsection 133 of Section 118 of
9 Chapter 126 of Laws 2004 for equipment, design and construction
10 of a facility for the Nuestros Valores charter school in
11 Albuquerque in Bernalillo county;

12 (10) fifteen thousand dollars (\$15,000) to the
13 public education department in Subsection 266 of Section 23 of
14 Chapter 429 of Laws 2003 and reauthorized in Laws 2006, Chapter
15 107, Section 21 to design and construct a facility for the
16 Nuestros Valores charter school in the Albuquerque public
17 school district in Bernalillo county;

18 (11) seven hundred forty-two thousand five
19 hundred dollars (\$742,500) to the energy, minerals and natural
20 resources department in Subsection 1 of Section 14 of Chapter
21 42 of Laws 2007 for facilities at Red Rock state park in Gallup
22 in McKinley county;

23 (12) five hundred forty-eight thousand dollars
24 (\$548,000) to the energy, minerals and natural resources
25 department in Subsection 4 of Section 12 of Chapter 92 of Laws

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1 2008 for clean energy grants to public entities or innovative
2 energy projects;

3 (13) two million dollars (\$2,000,000) to the
4 office of the state engineer in Subsection 7 of Section 14 of
5 Chapter 92 of Laws 2008 for emergency repairs at dams
6 statewide;

7 (14) fifty thousand dollars (\$50,000) to the
8 department of environment in Subsection 11 of Section 113 of
9 Chapter 126 of Laws 2004 for improvements to the sewer line on
10 Romero street in Las Vegas in San Miguel county;

11 (15) five hundred thirty-six thousand dollars
12 (\$536,000) to the department of finance and administration in
13 Subsection 1 of Section 18 of Chapter 42 of Laws 2007 for pre-
14 kindergarten classrooms, including portables, statewide;

15 (16) two million five hundred thousand dollars
16 (\$2,500,000) to the department of finance and administration in
17 Subsection 5 of Section 17 of Chapter 92 of Laws 2008 for leak
18 detection, regional and demonstration water system projects
19 statewide;

20 (17) one hundred seventy-seven thousand
21 dollars (\$177,000) to the capital program fund in Subsection 16
22 of Section 6 of Chapter 42 of Laws 2007 and reauthorized to the
23 department of health in Subsection A of Section 4 of Chapter
24 334 of Laws 2007 for improvements and renovations at public
25 health clinics statewide;

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1 (18) nine hundred ninety thousand dollars
2 (\$990,000) to the department of health in Laws 2007, Chapter
3 42, Section 21 to plan, design, construct, renovate, equip and
4 furnish regional substance abuse facilities in southern New
5 Mexico;

6 (19) twenty-five thousand dollars (\$25,000) to
7 the Indian affairs department in Subsection 3 of Section 21 of
8 Chapter 429 of Laws 2003 and reauthorized in Laws 2006, Chapter
9 107, Section 35 to plan, design and construct an outdoor
10 multipurpose court at the To'hajiilee chapter of the Navajo
11 Nation in Bernalillo county;

12 (20) fifty thousand dollars (\$50,000) to the
13 Indian affairs department in Subsection YY of Section 13 of
14 Chapter 23 of Laws 2000 (2nd S.S.) and reauthorized in Laws
15 2005, Chapter 347, Section 264 to plan and design a recreation
16 building in Coyote Canyon in McKinley county;

17 (21) fifty thousand dollars (\$50,000) to the
18 Indian affairs department in Subsection 43 of Section 20 of
19 Chapter 110 of Laws 2002 and reauthorized in Laws 2006, Chapter
20 107, Section 101 to plan and design a preschool building at the
21 Coyote Canyon chapter of the Navajo Nation in McKinley county;

22 (22) fifty thousand dollars (\$50,000) to the
23 Indian affairs department in Subsection 33 of Section 115 of
24 Chapter 126 of Laws 2004 to plan, design and construct a
25 telephone system in the Rock Springs chapter of the Navajo

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1 Nation in McKinley county;

2 (23) forty-five thousand dollars (\$45,000) to
3 the Indian affairs department in Subsection 20 of Section 115
4 of Chapter 126 of Laws 2004 for a feasibility study for a new
5 chapter house for the Sanostee chapter of the Navajo Nation in
6 San Juan county;

7 (24) one hundred thousand dollars (\$100,000)
8 to the Indian affairs department in Subsection KK of Section 13
9 of Chapter 23 of Laws 2000 (2nd S.S.) and reauthorized in Laws
10 2005, Chapter 347, Section 146 to continue the powerline
11 extension construction of the Mancos Creek area of the Shiprock
12 chapter in San Juan county;

13 (25) thirty thousand dollars (\$30,000) to the
14 Indian affairs department in Subsection O of Section 13 of
15 Chapter 23 of Laws 2000 (2nd S.S.) and reauthorized in Laws
16 2005, Chapter 347, Section 148 for phase 2 development to
17 include the addition of restroom facilities at the Nizhoni park
18 in Shiprock in San Juan county;

19 (26) nineteen thousand two hundred dollars
20 (\$19,200) to the Indian affairs department in Subsection N of
21 Section 13 of Chapter 23 of Laws 2000 (2nd S.S.) and
22 reauthorized in Laws 2005, Chapter 347, Section 149 to plan,
23 design and construct an addition to the Shiprock chapter house
24 in San Juan county;

25 (27) forty-five thousand dollars (\$45,000) to

1 the local government division in Subsection 29 of Section 117
2 of Chapter 126 of Laws 2004 for information technology
3 infrastructure for first responders in the east mountain area
4 in Bernalillo county;

5 (28) forty thousand dollars (\$40,000) to the
6 local government division in Subsection 65 of Section 117 of
7 Chapter 126 of Laws 2004 for maintenance and renovation of the
8 Albuquerque railyard station in Albuquerque in Bernalillo
9 county;

10 (29) nine hundred ninety thousand dollars
11 (\$990,000) to the local government division in Subsection 5 of
12 Section 23 of Chapter 42 of Laws 2007 for a kitchen and social
13 service office for senior affairs in Albuquerque in Bernalillo
14 county;

15 (30) sixty-four thousand dollars (\$64,000) to
16 the local government division in Subsection 273 of Section 117
17 of Chapter 126 of Laws 2004 to acquire land, plan, design,
18 landscape and make improvements for an off-leash dog park for
19 the Hodgin neighborhood association in Albuquerque in
20 Bernalillo county;

21 (31) four hundred thousand dollars (\$400,000)
22 to the higher education department in Paragraph (2) of
23 Subsection E of Section 24 of Chapter 111 of Laws 2006 for
24 improvements to the library at the Grants branch campus of New
25 Mexico state university and reauthorized to the local

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1 government division in Laws 2008, Chapter 83, Section 158 for
2 renovations to a public library in Grants in Cibola county;

3 (32) four hundred sixty thousand three hundred
4 fifty dollars (\$460,350) to the local government division in
5 Subsection 177 of Section 18 of Chapter 111 of Laws 2006 and
6 reauthorized in Laws 2008, Chapter 83, Section 222 for a
7 multipurpose facility and purchasing property for Casa Mia
8 ranch in Silver City in Grant county;

9 (33) fifty thousand dollars (\$50,000) to the
10 local government division in Subsection 206 of Section 117 of
11 Chapter 126 of Laws 2004 for improvements to the Onate center,
12 including re-roofing, replacing woodworking, site preparation,
13 demolition, preparing the foundation for and constructing a
14 stage, in Alcalde in Rio Arriba county;

15 (34) fifty thousand dollars (\$50,000) to the
16 local government division in Subsection 214 of Section 117 of
17 Chapter 126 of Laws 2004 and reauthorized in Laws 2005, Chapter
18 347, Section 270 to acquire land for and plan, design and
19 construct a courthouse in the first judicial district in
20 Espanola in Rio Arriba county;

21 (35) fifty thousand dollars (\$50,000) to the
22 local government division in Subsection 205 of Section 117 of
23 Chapter 126 of Laws 2004 to design, acquire land for and
24 construct facilities for the health commons project, which will
25 be owned by the county and include housing for the health

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1 centers of northern New Mexico, Las Cumbres learning services
2 and the public health office, in Espanola in Rio Arriba county;

3 (36) fifty-eight thousand dollars (\$58,000) to
4 the local government division in Subsection 114 of Section 117
5 of Chapter 126 of Laws 2004 for design and construction of the
6 Pueblo fire department San Jose substation in San Miguel
7 county;

8 (37) ten thousand dollars (\$10,000) to the
9 local government division in Subsection 616 of Section 22 of
10 Chapter 429 of Laws 2003 and reauthorized in Laws 2007, Chapter
11 341, Section 338 to make improvements to the Agua Fria
12 community center in Santa Fe county;

13 (38) one hundred thousand dollars (\$100,000)
14 to the local government division in Subsection 77 of Section 21
15 of Chapter 92 of Laws 2008 for the Santa Fe innovation park in
16 Santa Fe county;

17 (39) fifty thousand dollars (\$50,000) to the
18 local government division in Subsection 47 of Section 117 of
19 Chapter 126 of Laws 2004 for an addition to the fire department
20 building in Mountainair in Torrance county;

21 (40) two hundred thousand dollars (\$200,000)
22 to the local government division in Subsection 94 of Section 21
23 of Chapter 92 of Laws 2008 for a facility, equipment and
24 furnishings for the Los Lunas westside fire substation in Los
25 Lunas in Valencia county;

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1 (41) two million dollars (\$2,000,000) to the
2 department of transportation in Subsection 11 of Section 15 of
3 Chapter 126 of Laws 2004 for improvements to the Coors
4 boulevard and Sequoia road intersection in Albuquerque in
5 Bernalillo county;

6 (42) fifty thousand dollars (\$50,000) to the
7 department of transportation in Subsection 30 of Section 119 of
8 Chapter 126 of Laws 2004 to purchase and install traffic lights
9 at the intersection of Mildred and Fourth streets in
10 Albuquerque in Bernalillo county;

11 (43) fifty-two thousand dollars (\$52,000) to
12 the department of transportation in Subsection 33 of Section 15
13 of Chapter 126 of Laws 2004 to design and construct connectors
14 for the Alamogordo relief route in Otero county;

15 (44) ninety-eight thousand seven hundred
16 thirty-two dollars (\$98,732) to the higher education department
17 in Subsection 2 of Section 27 of Chapter 42 of Laws 2007 for
18 the trades and technology building at San Juan college in
19 Farmington in San Juan county; and

20 (45) Section 72-4A-9 NMSA 1978
21 notwithstanding, five million eight hundred thousand dollars
22 (\$5,800,000) to the water project fund in Laws 2007, Chapter
23 42, Section 34 for the purpose of supporting water projects
24 pursuant to the Water Project Finance Act.

25 B. In lieu of the purposes originally specified for

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1 the capital projects enumerated in Subsection A of this
2 section, the proceeds from severance tax bonds authorized as
3 indicated in that subsection may be expended in the following
4 amounts by the following agencies for the following purposes:

5 (1) two million eight hundred thousand dollars
6 (\$2,800,000) to the capital program fund to plan, design,
7 construct, renovate and equip a substance abuse treatment
8 center in Los Lunas in Valencia county;

9 (2) two million seven hundred thousand dollars
10 (\$2,700,000) to the energy, minerals and natural resources
11 department for bosque revitalization and to plan and develop
12 trails in the north bosque area along the Rio Grande;

13 (3) one million dollars (\$1,000,000) to the
14 office of the state engineer to repair and improve Cabresto
15 Lake dam in Taos county;

16 (4) one million dollars (\$1,000,000) to the
17 department of environment to plan, design and construct
18 improvements to the water and wastewater system in Sunland Park
19 in Dona Ana county;

20 (5) two million five hundred thousand dollars
21 (\$2,500,000) to the department of environment to plan, design
22 and construct improvements to the regional wastewater treatment
23 plant in Ruidoso Downs in Lincoln county;

24 (6) one million four thousand dollars
25 (\$1,004,000) to the department of environment to plan, design

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1 and construct water system leakage repairs in the Pueblo of
2 Cochiti in Sandoval county;

3 (7) three million dollars (\$3,000,000) to the
4 department of environment for improvements to the water reuse
5 and distribution facilities in Rio Rancho in Sandoval county;

6 (8) two million four hundred ninety-eight
7 thousand two hundred fifteen dollars (\$2,498,215) to the
8 department of finance and administration for construction,
9 renovation and improvements to media production, education and
10 training facilities statewide;

11 (9) one million dollars (\$1,000,000) to the
12 children, youth and families department for domestic violence
13 projects to maintain, repair and renovate facilities to ensure
14 consistent domestic violence service delivery and to plan,
15 design, construct, equip and furnish additional shelters
16 statewide;

17 (10) one million dollars (\$1,000,000) to the
18 Indian affairs department to plan, design and construct
19 improvements to the airport at Ohkay Owingeh in Rio Arriba
20 county;

21 (11) ten million dollars (\$10,000,000) to the
22 Indian water rights settlement fund; notwithstanding the
23 requirement for a joint resolution of the legislature in
24 Subsection A of Section 72-1-11 NMSA 1978, if corresponding
25 commitments have been made for the federal portion of the

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1 settlement in the *Navajo Nation*, *Taos* and *Aamodt* cases, the
2 money may be expended by the interstate stream commission in
3 fiscal year 2009 and subsequent fiscal years to implement the
4 state's portion of the settlement, and any unexpended or
5 unencumbered balances shall not revert at the end of a fiscal
6 year;

7 (12) five million dollars (\$5,000,000) to the
8 property control division of the general services department to
9 plan, design, construct, renovate and equip a state
10 multipurpose equestrian facility at the state fairgrounds in
11 Bernalillo county;

12 (13) three million dollars (\$3,000,000) to the
13 local government division to plan, design and construct
14 bikeways and horse trails in Santa Fe county;

15 (14) five million seven hundred thousand
16 dollars (\$5,700,000) to the local government division for
17 construction, renovation and improvements to film and media
18 production, education and training facilities statewide;

19 (15) five million dollars (\$5,000,000) to the
20 local government division for improvements to local fair and
21 arena rodeo facilities statewide; and

22 (16) one million five hundred thousand dollars
23 (\$1,500,000) to the department of transportation to acquire
24 rights of way and plan, design and construct paved roads for
25 the Strauss facility near the Santa Teresa port of entry in

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1 Dona Ana county.

2 C. The state board of finance shall determine which
3 proceeds of the bonds issued for projects specified in
4 Subsection A of this section shall be allocated to which
5 projects specified in Subsection B of this section.

6 D. The procedures for issuance of bonds,
7 certification of projects and use of proceeds of bonds shall be
8 the same as provided in Laws 2008, Chapter 92. The
9 authorizations for projects in Subsection B of this section not
10 certified within two years of the effective date of this act
11 are void. The unexpended balance of appropriations for
12 projects in Subsection B of this section shall revert at the
13 end of fiscal year 2013 or upon completion of the project,
14 whichever is earlier.

15 Section 3. SEVERABILITY.--If, in this act, a specific
16 reversion, a change in the use of severance tax bond proceeds,
17 a change in the authorization for severance tax bonds or an
18 authorization to expend severance tax bond proceeds is held
19 invalid or otherwise cannot be effectuated, the remainder of
20 the act and any other reversion, change in the use of severance
21 tax bond proceeds, authorization for severance tax bonds or
22 authorization to expend severance tax bond proceeds shall not
23 be affected.

24 Section 4. EMERGENCY.--It is necessary for the public
25 peace, health and safety that this act take effect immediately.

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